

From the INTERNATIONAL BUREAU

PCTNOTIFICATION CONCERNING
TRANSMITTAL OF COPY OF INTERNATIONAL
PRELIMINARY REPORT ON PATENTABILITY
(CHAPTER I OF THE PATENT COOPERATION
TREATY)

(PCT Rule 44bis.1(c))

To:

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ETATS-UNIS D'AMERIQUE

Date of mailing (<i>day/month/year</i>) 12 April 2007 (12.04.2007)		
Applicant's or agent's file reference 0013-019PCT		IMPORTANT NOTICE
International application No. PCT/US2005/024242	International filing date (<i>day/month/year</i>) 08 July 2005 (08.07.2005)	
Priority date (<i>day/month/year</i>) 12 July 2004 (12.07.2004)		
Applicant HARRIS, David, N.		

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Nora Lindner
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 0013-019PCT	FOR FURTHER ACTION	See item 4 below
International application No. PCT/US2005/024242	International filing date (<i>day/month/year</i>) 08 July 2005 (08.07.2005)	Priority date (<i>day/month/year</i>) 12 July 2004 (12.07.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant HARRIS, David, N.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 8 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input checked="" type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 03 April 2007 (03.04.2007)
Facsimile No. +41 22 338 82 70	Authorized officer <div style="text-align: center; font-weight: bold;">Nora Lindner</div> e-mail: pt02.pct@wipo.int

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
LARRY E. HENNEMAN, JR.
HENNEMAN & SAUNDERS
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PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference 0013-019PCT		Date of mailing (day/month/year) 12 FEB 2007 FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/US05/24242	International filing date (day/month/year) 08 July 2005 (08.07.2005)	Priority date (day/month/year) 12 July 2004 (12.07.2004)
International Patent Classification (IPC) or both national classification and IPC IPC: Please See Continuation Sheet USPC: 235/375,380,381,382,705/17,35,39		
Applicant HARRIS		

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☒ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Date of completion of this opinion 16 January 2007 (16.01.2007)	Authorized officer April A. Taylor <i>April A. Taylor</i> Telephone No. (571) 272-2403
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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US05/24242

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:
 - ☒ the international application in the language in which it was filed
 - ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material
 - ☐ on paper
 - ☐ in electronic form
 - c. time of filing/furnishing
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in electronic form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US05/24242

Box No. IV Lack of unity of invention

1. ☒ In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has, within the applicable time limit:
- ☐ paid additional fees
 - ☐ paid additional fees under protest and, where applicable, the protest fee
 - ☐ paid additional fees under protest but the applicable protest fee was not paid
 - ☒ not paid additional fees
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is
- ☐ complied with
 - ☒ not complied with for the following reasons:
See the lack of unity section of the International Search Report (Form PCT/ISA/210)

4. Consequently, this opinion has been established in respect of the following parts of the international application:
- ☐ all parts.
 - ☒ the parts relating to claims Nos. 1-40

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US05/24242

Box No. V Reasoned statement under Rule 43 *bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims NONE YES
Claims 1-40 NO

Inventive step (IS)

Claims NONE YES
Claims 1-40 NO

Industrial applicability (IA)

Claims 1-40 YES
Claims NONE NO

2. Citations and explanations:

Please See Continuation Sheet

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US05/24242

Supplemental Box
In case the space in any of the preceding boxes is not sufficient.

Continuation of IPC:

G06F 7/08(2006.01);17/00(2006.01);G06K 5/00(2006.01);G06Q 20/00(2006.01);40/00(2006.01)

V. 2. Citations and Explanations:

Claims 1-40 lacks novelty under PCT Article 33(2) as being anticipated by Cohen (US 6,422,462).

Re claim 1: Cohen discloses a computer system for approving a commercial transaction between an account-holder and a merchant, the system comprises:

a processing unit for processing data and code; and

a memory device for storing the data and said code,

the code including a merchant communications module operative to facilitate a connection with the merchant for receiving a transaction approval request,

the data including activation data accessible to the account-holder, the activation data indicative of the activation status of an account associated with the account-holder, and

the code further including an authorization module responsive to the transaction approval request and operative to deny the transaction approval request if the account associated with the account-holder is deactivated. (See col. 5, line 31 to col. 6, line 14)

Re claim 2: Cohen discloses wherein:

the activation data includes at least one activation condition; and

the authorization module is operative to approve said transaction approval request only if the transaction approval request satisfies the activation condition. (See col. 5, line 31 to col. 6, line 14)

Re claim 3: Cohen discloses wherein:

the activation condition comprises an activation date and time corresponding to an initial activation of the account; and

the authorization module is operative to approve the transaction approval request only if a purchase date and time contained in the transaction approval request falls after the activation date and time. (See col. 5, line 31 to col. 6, line 14; and col. 7, line 29 to col. 8, line 14)

Re claim 4: Cohen discloses wherein:

the activation data further includes at least one deactivation condition; and

the authorization module is operative to approve the transaction approval request only if the transaction approval request satisfies the activation condition and does not satisfy the deactivation condition. (See col. 5, line 31 to col. 6, line 14; and col. 7, line 29 to col. 8, line 14)

Re claim 5: Cohen teaches wherein:

the deactivation condition comprises a deactivation date and time determined by the account-holder; and

the authorization module is operative to accept the transaction approval request only if a purchase date and time contained is

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US05/24242

Supplemental Box
In case the space in any of the preceding boxes is not sufficient.

(See col. 7, line 29 to col. 8, line 66)

Re claims 23 and 36: Cohen teaches wherein:
the step of determining whether the account-holder has temporarily reactivated said account includes comparing a purchase date and time included in said transaction approval request with said date and time that the reactivation instructions were received; and
the step of approving said transaction approval request includes approving the transaction approval request if the purchase date and time is after the date and time the reactivation instructions were received. (See col. 7, line 29 to col. 8, line 66)

Re claims 24 and 37: Cohen teaches storing at least one automatic deactivation criteria associated with said account-holder; and automatically temporarily deactivating said account associated with said account-holder when said at least one deactivation criteria is met. (See col. 7, line 29 to col. 8, line 66)

Re claims 25 and 38: Cohen teaches wherein:
the at least one deactivation criteria includes a predetermined number of commercial transactions; and
the step of automatically temporarily deactivating said account includes deactivating the account after the receipt of said predetermined number of commercial transactions. (See col. 7, line 29 to col. 8, line 66)

Re claims 26 and 39: Cohen teaches wherein the predetermined number of commercial transactions is one. (See col. 7, line 29 to col. 8, line 66)

Re claims 27 and 40: Cohen teaches wherein the step of receiving instructions from the account-holder includes receiving the instructions via telephone (col. 6, line 50+).